



## COUNCIL MEETING RESULTS

### CITY OF SURPRISE Regular City Council Meeting Agenda 16000 N. Civic Center Plaza Surprise, AZ 85374

Tuesday, August 20, 2013 @ 6:00 PM  
Amended agenda - added item #7 on Aug. 19, 2013 at 4:30 p.m.

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- A. Call To Order
- B. Roll Call – All Council were present.
- C. Pledge of Allegiance
- D. Invocation
- E. City Manager Report: No report.
- F. City Attorney Report: Applications for Victims Advocate being reviewed; Posting for attorney positions currently open.
- G. Regular City Council Meeting Agenda:

Approval of items on the Consent Agenda – all items with an asterisk (\*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Consent Agenda: **M: Hall 2nd: Williams Vote: 6 yes votes.**

- |                       |   |  |
|-----------------------|---|--|
| *#1 District 5        | <u>Consideration and action to approve a liquor license request by Richard Wright for Archie's Deli (Kibitz, LLC) located at 15332 W. Bell Road, Suites 101 &amp; 102, Surprise, Arizona 85374 (Series 12/New License/LLC).</u>   | Approved<br>Sherry<br>Ann<br>Aguilar,<br>City Clerk<br>MMC |
| *#2 District Internal | <u>Consideration and action on Resolution 2013-82 authorizing the City of Surprise to enter into a grant contract with Firehouse Subs Public Safety Foundation, to accept a grant to pay for stadium and special event emergency medical equipment, and amending the FY2014 budget.</u> | Approved<br>Fire Chief<br>Michael<br>White                 |

*#3	District 2	<u>Consideration and action to approve a liquor license request by Thomas Schoenke for West End Bar &amp; Grill, LLC located at 14051 W. Grand Avenue, Surprise, Arizona 85374 (Series 12 - New License/LLC).</u>	Approved Sherry Ann Aguilar, City Clerk MMC
*#4	District Citywide	<u>Consideration and action on the minutes of July 6, 2013 Special City Council Work Session.</u>	Approved Sherry Ann Aguilar, City Clerk
Regular Agenda Item - Non-Public Hearing:			
#5	District 4	<u>Discussion and possible action to appoint a replacement for the District 4 Councilmember vacancy due to the passing of Councilmember, Roy Villanueva. The term expiration for this appointment will be December 31, 2016. Applications for Danny Arismendez and Rachel Villanueva were received. The person appointed will be issued the oath of office by the City Clerk immediately after appointment.</u>	Selected Rachel Villanueva (6 yes votes)
<i>Hall nominated Rachel Villanueva – Councilmember Villanueva was issued the Oath of Office by the City Clerk, then took her seat at the dais.</i>			
Regular Agenda Item - Public Hearing:			
#6	District 1	<u>Consideration and action on Ordinance 2013-04; an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a Planned Unit Development for Moon Valley Nursery, Case FS13-110. The subject site is located at 13040 West Cottonwood Street, within the Original Town Site.</u>	Approved Jeff Mihelich, Community & Economic Development
<b>M: Villanueva 2<sup>nd</sup>: Williams</b> <b>Vote: 7 yes votes</b>			
#7	District 5	<u>Consideration and action on COS13-014 authorizing the City of Surprise to enter into a Construction Manager at Risk contract with Felix Construction for the Mountain Vista Ranch Well No. 2 for a Guaranteed Maximum Price No. 1 of \$1,092,369.</u>	Approved Dick McKinley, Public Works
<b>M: Alton 2<sup>nd</sup>: Hall</b> <b>Vote: 7 yes votes</b>			

#### H. Call To The Public: Jan Nivens – Loops 303 & Greenway Road Construction Issues

**INSTRUCTIONS:** In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

Download the Call to the Public form (PDF download requires *Adobe Acrobat Reader*)

Fill out the Call to the Public form online If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address City Council on any item not on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (\*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

#### I. Other Business and Future Agenda Items:

Williams – Requested briefing from ADOT on Loop 303 Construction Project  
Hall – Organize effort to receive feedback on status of Post Office on Grand & Dysart in OTS.  
Hall – Requested report on Recycling and Conservation efforts (Water & Energy)

#### J. Mayor/Council Reports:

#### K. Executive Session: None held.

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position

regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));

- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or

- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).

- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

L. Adjournment: M: Hall 2<sup>nd</sup>: Williams Vote: 7 yes to adjourn at 6:54 p.m.

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SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Aug. 21, 2013 at 7:00 a.m.

**SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.**